IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 19 OF 2006.
IN
CRIMINAL APPEAL NO. 1044 OF 2005.

Mehbub Ali Yusuf Mohd.Patel. ... Applicant.
Versus.
State of Maharashtra. ... Respondent.

Ms.:Pooja Bhojane for the Applicant.

Ms.S.V.Gajare, A.P.P.for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 19th October, 2006.

P.C.:

1. The Applicant is Accused No.1 who has been convicted for offence under section 395 read with section 397 of the Indian Penal Code. The substantive sentence is of 8 years. The Applicant has already undergone sentence for more than five years. The Appeal is not likely to be heard before the remaining period of sentence is over. Considering the facts of the case, the Applicant is entitled to be enlarged on bail. However, it is to be ensured that the fine amount is deposited.

2. Hence the following order is passed:

i) The Applicant shall be enlarged on bail in the sum of Rs.5000/- with one or two local sureties of like amount. The bail is granted subject to condition that the

Applicant will report to the Nagpada Police Station, Mumbai, on every first Saturday of every calender month till disposal of the Appeal.

ii) The order of granting bail will be given effect to only after the Applicant produces evidence to show that the Applicant has deposited the fine amount.

Judge.